

SENATE BILL No. 403

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-34-7; IC 34-30-2-85.9.

Synopsis: Student athletes and head injuries. Provides that the law concerning concussions and head injuries applies to student athletes in grades 5 through 12 who participate in interscholastic or intramural sports. (Current law provides that the law concerning concussions and head injuries applies to high school student athletes.) Requires all coaches and assistant coaches of student athletes and coaches and assistant coaches who coach football to individuals who are less than 20 years of age to complete certain certified coaching education courses. (Current law requires coaches and assistant coaches who coach football to individuals who are less than 20 years of age to complete certain certified coaching education courses.)

Effective: July 1, 2015.

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January 12, 2015, read first time and referred to Committee on Health & Provider Services.



First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 403

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 20-34-7-1.7 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2015]: **Sec. 1.7. As used in this chapter, "student athlete" means**
- 4 **any student who:**
- 5 **(1) attends a school;**
- 6 **(2) is in grade 5, 6, 7, 8, 9, 10, 11, or 12; and**
- 7 **(3) participates in any interscholastic or intramural sport,**
- 8 **including cheerleading.**
- 9 SECTION 2. IC 20-34-7-3, AS ADDED BY P.L.144-2011,
- 10 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 11 JULY 1, 2015]: **Sec. 3. Each year, before beginning practice for an**
- 12 **interscholastic or intramural sport, a ~~high school~~ student athlete and the**
- 13 **student athlete's parent:**
- 14 **(1) must be given the information sheet and form described in**
- 15 **section 2 of this chapter; and**
- 16 **(2) shall sign and return the form acknowledging the receipt of the**



information to the student athlete's coach.
The coach shall maintain a file of the completed forms.

SECTION 3. IC 20-34-7-4, AS ADDED BY P.L.144-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. A ~~high school~~ student athlete who is suspected of sustaining a concussion or head injury in a practice or game:

- (1) shall be removed from play at the time of the injury; and
- (2) may not return to play until the student athlete has received a written clearance under section 5(a) of this chapter.

SECTION 4. IC 20-34-7-5, AS AMENDED BY P.L.34-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) A ~~high school~~ student athlete who has been removed from play under section 4 of this chapter may not return to play until:

- (1) the student athlete:
 - (A) is evaluated by a licensed health care provider trained in the evaluation and management of concussions and head injuries; and
 - (B) receives a written clearance to return to play from the health care provider who evaluated the student athlete; and
- (2) not less than twenty-four (24) hours have passed since the student athlete was removed from play.

(b) A licensed health care provider who evaluates a student athlete under subsection (a) may conduct the evaluation as a volunteer. A volunteer health care provider who in good faith and gratuitously authorizes a student athlete to return to play is not liable for civil damages resulting from an act or omission in the rendering of an evaluation, except for acts or omissions that constitute gross negligence or willful or wanton misconduct.

SECTION 5. IC 20-34-7-6, AS ADDED BY P.L.34-2014, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. (a) As used in this section, "football" does not include flag football.

(b) Beginning July 1, ~~2014~~, **2015**, prior to coaching **a sport for student athletes or** football to individuals who are less than twenty (20) years of age, each head ~~football~~ coach and **any** assistant ~~football~~ coach shall complete a certified coaching education course that:

- (1) is sport specific;
- (2) contains player safety content, including content on:
 - (A) concussion awareness;
 - (B) equipment fitting;
 - (C) heat emergency preparedness; and



- 1 (D) proper technique;
- 2 (3) requires a coach **or assistant coach** to complete a test
- 3 demonstrating comprehension of the content of the course; and
- 4 (4) awards a certificate of completion to a coach **or assistant**
- 5 **coach** who successfully completes the course.
- 6 (c) For a coach's **or assistant coach's** completion of a course to
- 7 satisfy the requirement imposed by subsection (b), the course must
- 8 have been approved by the department.
- 9 (d) A coach **and assistant coach** shall complete a course not less
- 10 than once during a two (2) year period. However, if the coach **or**
- 11 **assistant coach** receives notice from the organizing entity that new
- 12 information has been added to the course before the end of the two (2)
- 13 year period, the coach **or assistant coach** must:
- 14 (1) complete instruction; and
- 15 (2) successfully complete a test;
- 16 concerning the new information to satisfy the requirement imposed by
- 17 subsection (b).
- 18 (e) An organizing entity shall maintain a file of certificates of
- 19 completion awarded under subsection (b)(4) to any of the organizing
- 20 entity's head coaches and assistant coaches.
- 21 (f) A coach **or assistant coach** who complies with this section and
- 22 provides coaching services in good faith is not personally liable for
- 23 damages in a civil action as a result of a concussion or head injury
- 24 incurred by an athlete participating in an athletic activity in which the
- 25 coach **or assistant coach** provided coaching services, except for an act
- 26 or omission by the coach **or assistant coach** that constitutes gross
- 27 negligence or willful or wanton misconduct.
- 28 SECTION 6. IC 34-30-2-85.9, AS ADDED BY P.L.34-2014,
- 29 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 30 JULY 1, 2015]: Sec. 85.9. IC 20-34-7-6 (Concerning ~~coaches~~: **coaches**
- 31 **and assistant coaches**).

